



DEPARTMENT OF THE NAVY
NAVAL SURFACE WARFARE CENTER
CARDEROCK DIVISION

NAVAL SEA SYSTEMS COMMAND
ENGINEERING STATION
1000 S. WASHINGTON ST.
P.O. BOX 10000, PLEASANTON, CA 94566-0000

NAVAL SEA SYSTEMS COMMAND

J&A Number: 3353-10-038-00
Code [REDACTED]: fm
P.R. Number: 10-FCM-077

JUSTIFICATION AND APPROVAL
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

JUSTIFICATION

1. Contracting Activity

The Naval Sea Systems Command, Naval Surface Warfare Center, Carderock Division (Code [REDACTED]).

2. Description of Action Being Approved

This is a sole source action to be awarded without providing for full and open competition. The proposed contract action is a new Cost-Plus-Fixed Fee, Indefinite-Delivery, Indefinite-Quantity type contract to be awarded to Hamilton Sundstrand of Windsor Locks, CT, for the furnishing of engineering and technical services to explore and resolve any problems associated with the Oxygen Generating Plant (OGP)/ Gas Management System (GMS)/ Electrolytic Chlorine Generator (ECG)/ Integrated Low Pressure Electrolyzer (ILPE)/Advanced Integrated Low Pressure Electrolyzer (A-ILPE) to ensure their safe operation.

3. Description of Supplies/Services

The proposed acquisition will provide for the furnishing of services to explore and resolve any problems associated with the Oxygen Generating Plant (OGP), Gas Management System (GMS), Electrolytic Chlorine Generator (ECG), Integrated Low Pressure Electrolyzer (ILPE), and the Advanced Integrated Low Pressure Electrolyzer (A-ILPE) to ensure their safe operation. The OGP is the primary oxygen producer on SSN-21 Class Submarines. The GMS is part of the atmosphere control equipment. The ECG electrolyzes the use of seawater to produce chlorine to prevent biofouling within the system. The ILPE is the primary life support system aboard SSN-774 Class Submarines. The A-ILPE is an advanced ILPE also supporting life aboard SSN-774 Class Submarines. These are mission essential and vital to the deployment of the Nation's SEAWOLF, VIRGINIA, LOS ANGELES, and OHIO Class Submarines.

The total estimated dollar value of the proposed acquisition is \$18,012,632.44 and the contract will contain a 12 month base period commencing 1 Apr 2012 through 31 March 2013 with 4, 12 month options. Funding amounts for this estimated cost are as such:

	FY-12	FY-13	FY-14	FY-15	FY-16	Totals
SCN	\$1,102,526.24	\$1,203,454.40	\$1,244,711.03	\$1,333,058.00	\$1,241,002.40	\$6,124,752.07
OPN	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$5,000,000.00
O&MN	\$1,312,253.35	\$1,302,424.41	\$1,355,000.00	\$1,363,300.21	\$1,554,902.40	\$6,887,880.37
TOTAL	\$3,414,779.59	\$3,505,878.81	\$3,599,711.03	\$3,696,358.21	\$3,795,904.80	\$18,012,632.44

The Government's minimum needs have been verified by the certifying technical and requirements personnel.

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304 (c) (1), Only One Responsible Source and No Other Supplier or Services Will satisfy Agency Requirements (FAR 6.302-1).

5. Rationale Justifying Use of Cited Statutory Authority

Though the Navy does possess limited organic capability to maintain and repair the OGP, GMS, ECG, ILPE, and the A-ILPE systems, occasionally operational problems cannot be properly diagnosed or repairs cannot be accomplished due to the lack of specialized knowledge of and expertise with the units.

The services for the OGP/GMS/ECG/ILPE/A-ILPE systems are mission essential and vital to the deployment of the Nation's SEAWOLF, VIRGINIA, LOS ANGELES, and OHIO Class Submarines. If these units are not properly supported, a serious safety hazard, such as injury or death to navy personnel can result. This could occur from improper servicing, improper installation of the replacement parts or improper operation due to any existing OGP/GMS/ECG/ILPE/A-ILPE system faults. Hamilton Sundstrand's assistance in correcting any problems with these units aboard SEAWOLF, VIRGINIA, LOS ANGELES, and OHIO Class Submarines is critical in quickly bringing them back on line and making them safe to operate. The cost impact of a mishap resulting from a OGP/GMS/ECG/ILPE/A-ILPE systems accident cannot be estimated.

Hamilton Sundstrand is the original designer, developer, and sole manufacturer of the OGP/GMS/ECG/ILPE/A-ILPE systems. As such, they are the only known firm with specialized knowledge, proprietary technical data, and requisite technical expertise capable of furnishing the necessary services. The government does not possess the in-house capability to perform this specialized effort, nor does it have or can it develop a

statement of work suitable to obtain the required services from other sources on the basis of full and open competition. No other source has either the technical data on the units or the qualified personnel to accomplish the tasks. Hamilton Sundstrand is the only known responsible source of the services.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable

The proposed contract was synopsized in the Federal Business Opportunities (FEDBIZOPPS) website on 30 Jul 2010 in accordance with FAR 5.2. At the time this J&A was prepared, no responses were received to date. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Hamilton Sundstrand to provide the required services.

7. Determination of Fair and Reasonable Costs

The Contracting Officer has determined that the anticipated cost to the Government for the supplies/services covered by the J&A will be fair and reasonable.


8. Actions to Remove Barriers to Competition

The Navy does not possess the essential technical data for the OGP, GMS, ECG, ILPE, and the A-ILPE systems. It is not possible to initiate action to attempt to secure competition under possible future requirements.

TECHNICAL AND REQUIREMENTS CERTIFICATION - (FAR 6.303-2(b))


I certify that the facts and representations under my cognizance, that are included in this justification and its supporting data, including Acquisition Plan No. N/A, except as noted herein, are complete and accurate to the best of my knowledge and belief.

COMBINED TECHNICAL AND REQUIREMENTS COGNIZANCE:


Signature Name (Print) and Title (Code) Phone No. Date


LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90))

I have determined that this justification is legally sufficient.


Signature Name (Print) and Title (Code) Phone No. Date

CONTRACTING OFFICER CERTIFICATION - FAR 6.303-2(a)(12) (Note: Pursuant to FAR 6.304(a)(1)), this certification also serves as approval of J&A's not exceeding \$550,000)

I certify that this justification is accurate and complete to the best of my knowledge and belief.


Signature Name (Print) and Title (Code) (3353) Phone No. Date

APPROVAL BLOCK (FAR 6.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as Designee of the Head of the Contracting Activity the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).

[REDACTED]

Signature

Name (Print)

Date